

TRI-WEEKLY KENTUCKY YEOMAN.

VOL. 4.]

TRI-WEEKLY KENTUCKY YEOMAN,
PRINTED AND PUBLISHED BY
S. I. M. MAJOR, JR., & CO.,
MAIN STREET, NEAR THE MANSION HOUSE.



**AYER'S
PILLS.**

FOR ALL THE PURPOSES OF A

FAMILY PHYSIC.

TERMS:
One copy, per volume, \$3.00
One do. do. at the end of the year, 4.00
Ten copies per annum, 25.00

THE WEEKLY YEOMAN is printed on a double-sided sheet, fine paper, and with good types, at two dollars per year in advance.

PERFUMERY AND FANCY ARTICLES.

DR. MILLS

HAS just received the most elegant and extensive assortment of Fine Perfumery and Fancy Articles, ever brought to this city. The stock consists of—

Hair Brushes of every style; Hair Oils, and prices; Cloth Brushes; Nail Brushes; Tooth Brushes; Hair Pins; Powder Puffs; Hair Pomades; Comb; Tucking Combs; Fine Toile Combs; Pocket Combs; Side Combs; India Rattan Combs; Wig Sticks; Violin and Guitar Strings; Savages; Tailor's Pins.

The selection is large and varied and contains articles of every price and pattern. A new and fashionable perfume cast cannot fail to please.

Sept. 26, 1854.—if

V. S. WEST & CO., CONFECTIONERS, AND DEALERS IN GROCERIES OF ALL KINDS, FINE Teas, Spices, Nuts, English and American Sweets and Pickles, Herring Cigars, Foreign and American Sweetmeats, &c., &c.

Pure Old Wines, Brandies, &c., &c., CORNER OF SAINT CLAIR AND BROADWAY STREETS, Frankfort, Ky.

We are now opening an entire new and complete assortment of fine GROCERIES. Our friends and clients in general are invited to call and examine our goods. We assure you that we have nothing to offer from us that they will not find in our line, as we are determined to keep as good and complete assortment as can be found in the place. Our customers will get from us fresh and well selected articles, among which are the following:

10 lbs. Brown Sugar;

10 lbs. Powdered Sugar;

10 bags Loaf Sugar;

10 bags Rice Coffee;

10 bags Cane Coffee;

2 bags Languay Coffee;

An assortment of Tea;

10 lbs. Plantation Molasses;

10 lbs. Sugar House Molasses;

5 lbs. Honey;

40 boxes fine Table Salt;

20 boxes Family Soap;

20 boxes Rose Soap;

10 boxes French Soap;

10 boxes French Chewing Tobacco;

2 boxes fine Chewing Tobacco;

2 boxes fine Smoking Tobacco;

20 boxes Star Candies;

10 boxes Tallouw Candies;

40 boxes fine Candy Cigars;

15,000 Hockhock's half Spanish Cigars;

15 bags cation yarns, 4, 5, 6 and 7;

3 bags Candle Wick;

8 boxes Stars;

1 bag of Candy;

4 box Mauve;

2 doz painted Buckets;

15 bags assorted Nails;

Also, several cases Sardines, Shell Almonds, Dates, Prunes, Pie Fruits of all kinds; fresh Peaches; fresh Strawberries; pressed Pine Apples; Lemons, and as small Slices;

A few boxes of choice French Cardials; Brandy Peaches; Brandy Pear; Lemon Syrups; good Ale; Brown Stout, &c.

All of which articles we will sell at wholesale or retail, on as good terms as any house in the city.

June 24, 1854.—if

V. S. WEST & CO.

T. CALLAGHAN, WHOLESALE AND RETAIL FAMILY GROCER,

West Side Broadway, Front of Capitol Square, Frankfort, Ky.

MOST recently announces to the citizens of Frankfort and surrounding country, that he has in store, and to arrive, a large and selected stock of Family Groceries, Wines, Liquors, &c., &c., which he offers on as good terms as any house in the city. The following are as follows:

6 bags crystal pure Sugar;

12 bags Extra Rio Coffee;

2 bags do Java Coffee;

5 bags white Granulated and powdered Sugar;

4 bags Plantain Molasses;

2 bags Sugar House Molasses;

Golden Syrup in bbls, half bbls and 10 gallon kegs;

An assortment of fine Green and Black Teas;

4 bags Pure White Vinegar;

4 bags 3, Large Mustard;

10 boxes Star Candies, 4, 5, 6;

8 boxes summer pressed Candies;

14 boxes Soap;

20 bags Nails assorted sizes;

Also, Sardines, Indigo, Soda, Salaratus, Rice, Pepper, Spices, &c., &c.

Sept. 24, 1854.—if

T. CALLAGHAN.

BOOTS AND SHOES.

WM. M. TODD,

No. 1, Swiger's Row, Frankfort, Ky.,

HAS received a portion of his fall purchase of Boots and Shoes, consisting of—

Gent's Calf Boots and Shoes;

Boots and Shoes, Gent's Oxford Tires;

Also, men's, youth's and boys' Kip and Calf Brogans, of the very best quality, and warranted long term satisfaction.

LADIES SHOES.

A part only of our stock of Ladies Shoes have come to hand; but we think you can suit them, as we have received some very neat styles. Our stock of Ladies Shoes and Children's Shoes, Gent's Calf Congress Boots; Gent's Calf Oxford Tires; All sorts of Boots, Shoes, Garters, &c., as good as could be desired, and think we can please the most fastidious. It gives us pleasure to show our stock, and invite those in want of good articles to give us a call.

W. M. TODD,

P. S. BOWMAN, will always be found at his post.

W. H. KEENE,

WHOLESALE AND RETAIL DEALER

IN Groceries, Liquors and Provisions,

AT THE HOUSE RECENTLY OCCUPIED BY BROWN & SAYERS.

THE undersigned having made his stock complete, solicits the patronage of the former patrons, and of other friends. He pledges himself to try to make their interest to patronize him. His stock consists in part—

New Orleans Sugar, powdered, crushed and loaf; Plantation and Sugar-house Molasses; St. Louis Syrup; &c.; Cane Sugar; Raisins; Dates; Prunes; and Java Coffee; Mould and Star Candies; Lard Oil; Butter and Water Crackers; Assorted Nails; Mackarel in bbls and half bbls; Rice, Flour, Starch, Table Salt; Tubs, Buckets, Baskets, Malt Liquors, Wood Saws, Drills, Vinegar, Spices of every description, and other articles too numerous to mention.

W. H. KEENE

NEW BAKERY.

HAVING commenced with a Confectionery on Mar-

ket street, a Bakery, and confectionery, top notch, we are now prepared to furnish all articles in the line at the shortest notice, and on terms to suit all who may patronize us. We intend keeping on hand at all times fresh bread and cakes, and every other article required by factotum. We know we can make it an object to those continuing parties of weddings furnished, to give us a trial.

We also have on hand all kinds of groceries, and would be pleased to receive a portion of the public patronage.

N. B.—Hot bread every morning.

25th copy, one month

sep. 26, 1854.—if

26th copy, one month

sep. 26, 1854.—if

27th copy, one month

sep. 26, 1854.—if

28th copy, one month

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sep. 26, 1854.—if

56th copy, one month

sep. 26, 1854.—if

57th copy, one month

sep. 26, 1854.—if

The Cri-Weekly Yeoman.

THURSDAY : : : : : JANUARY 11.

Mr. S. H. PARVIN. No. 65 Fourth street, between Walnut and Vine, Cincinnati, is our authorized Agent to receive and receipt for advertising and subscription to the Kentucky Yeoman.

Particular Notice.

Merchants and business men in town, and our patrons in general, are hereby notified and particularly requested not to give any one credit on the account of the Yeoman Office from this time henceforth, without a written order from one of the proprietors of the Yeoman. They are also particularly requested not to receive any orders which may be drawn on us by any one in our employ, as we do not owe any of these a cent, and will not during the coming year. We are forced to take this course for self-defense, and as we do not wish to be annoyed in future, our friends will please remember.

S. I. M. MAJOR, Jr., & CO.

We call attention to the advertisement of the Belcolline Female Seminary. The Rev. J. S. Bradnock, the Principal, has given the utmost satisfaction as a teacher, and the location of the school is a healthy and pleasant one.

The bridges at Erie will be rebuilt by to-morrow morning—the new road at Harbor Creek in five or six days. The Supreme Court have appointed a special sheriff to see the road repaired, and protect it when done.

The Difficulty at Erie.—We are indebted to Mr. Clarke, the obliging operator at the House Telegraph office, for the following despatch, dated Cleveland, January 10, P. M.:

WHAT EVERY BODY WANTS.—It will be seen by the advertisement that Messrs. Smith & Tutte have opened a new Daguerrean gallery in the old one of Hugh Goodwin (over Bansw's). We have seen specimens of their art and skill, and do not hesitate to pronounce them first-rate artists. Their pictures are cheap and life-like, and just the thing that every body wants. So go and give them a trial.

THE KINETOSCOPE OF CUBA opened last night at the Odd Fellow's Hall, to a highly intellectual audience who pronounced it magnificent. We cannot better express our opinion than by copying the following from the *Indianapolis Journal*.

Many of our citizens have been permitted to visit the Panorama of Cuba which has been exhibiting at Masonic Hall since Wednesday evening. As a work of Art, it is more nearly equal to Baward's original Panorama of the Mississippi, than any other thing of the kind we have ever seen. The scenes which it portrays are of unusual interest, as exhibiting the appearance of the most beautiful Island in the world, and the peculiar customs of its inhabitants.

Major Fehl delivers a connection with the exhibition, an interesting lecture, which is full of valuable information and rich eloquence.—The very happy style in which the lecture is got off, adds greatly to the entertainment. The Major understands the wishes of an audience perfectly. No sooner does the Panorama close, than a pretty little vocalist appears before the audience and delights them with a song. Then finally Signor Morillo renders the old "young again" with his Lilliputian family. The whole certainly constitutes "the best entertainments in the country."

It is to be again exhibited at Odd Fellow's Hall to night. Our citizens should all see it.

FOREIGN PERIODICALS.—We call the attention of our readers to LEONARD SCOTT & CO.'s advertisement of the British Quarterlies and Blackwood's Magazine in another column. Now is the most favorable time to begin subscriptions, as new volumes are about commencing. The terms are very moderate and the postage greatly reduced. They are unquestionably the ablest periodicals in the world, the most widely circulated and extensively read. No scholar, who claims the slightest acquaintance with current literature can get along without them. They constitute together an immense periodical encyclopedia, where almost everything useful, interesting and ornamental is elaborately discussed by the ablest writers in the world. They form particularly the only medium of communication with mankind at the proudest genius of Great Britain and no American reader should regard his library perfect without these components.

At this crisis they are full of interest. The most reliable accurate and interesting details to be had from any source, of the warlike and political movements in Europe are to be found in these publications. Blackwood for December commences the publication of an article, a detailed account of the operations of the allies in the Crimea from the original letters of a British Officer on the ground, a single chapter of which is worth a year's subscription to all five of these periodicals. LEONARD SCOTT & CO. deserve credit for enterprise and liberality in giving American readers these works on such remarkably cheap terms.

A PIONEER GONE.—Hon. WM. RUFAS PUTNAM, of Marietta, Ohio, died on Monday, January 1, aged 85 years. He was the son of Gen. Rufus Putnam, who established the first permanent white settlement north-west of the Ohio, in 1788.

VILLAINY.—The Syracuse (N. Y.) *Journal* is informed of some particulars of an outrage upon and robbery of Miss Prestor, a milliner, of Homer, in Cortland county last week. There were two ruffians engaged in the affair, which occurred at tea-time, when the victim and owner of the shop (Miss Prestor) was alone. The two men, in a cutter, drove up to the front door, hitched their horses, and went into the shop. One of them seized Miss P., and, we are told, forced her into a back room and committed upon her person the grossest outrage. The other man rifled the money-drawer of the \$200 it contained, and then both of them jumped into their cutter and rapidly drove out of the village.

The name of the Hon. JAMES P. METCAFE, late Secretary of State under Gov. POWELL, is favorably mentioned in connection with the Congressional candidacy in the Maysville district, by his Democratic friends.

In the Supreme Court the following case has been decided:

Robert Wickliffe vs. Thos. D. Owings—Appeal from Circuit Court for the District of Kentucky. Judge Campbell delivered the opinion of the Court, reversing and annulling the decree of said Circuit Court with costs, rendering decree in favor of complaint.

Senator Dixon is at his home in Hender-

COURT OF APPEALS.

Twenty-Second Day.
TUESDAY, Jan. 9.

CAUSES DECIDED.
Cottman v Stone, Clarke; affirmed.
Montgomery v McMays, Adair; affirmed.
Mounin v Mounin, Hardin; affirmed.
Wells v Frank, Jefferson; affirmed.
Butten v Kemper, Oldham; reversed on the cross errors.

ORDERS.
French v Sallee, Jefferson;
Roper v Lindenberger, Jefferson;
Cronie v Ins. Co., Jefferson;
Allen v Sims, Jefferson—were argued.

Thirty-Third Day.
Wednesday, Jan. 10.

CAUSES DECIDED.
Sands v Board of Improvement, Jefferson; affirmed.

Rupert v Lindenberger, Jefferson; affirmed.
Evans v Bank Louisville, Jefferson; affirmed.
Smith v Fah, Jefferson; reversed.
French v Steele, Jefferson; reversed.
Cronie v Mutual Ins. Co., Jefferson; reversed.
Dawson v Goodwin, Spencer; reversed.
Burch v Breckinridge, Henderson; reversed.
Cunningham v Sims, Henderson; reversed.

ORDERS.

Phillips v Sulphur Well Co., Jefferson;
Louisville v Baird, Jefferson;
Woodford v Chamberlain, Louisville;
Smith v Smith, Louisville;
Duff v Cochran, Louisville—were argued.

HARRISON COUNTY COURT VS. SMITH, Harrison County.

This is an appeal from a judgment against the Harrison County Court for amount of \$2,000, the estimated value of a house built by Smith to be used as a jailor's house, on a lot belonging to the county court. The erection of the house had never been authorized by a county court composed of a majority of the justices of the county, but was authorized by order of the county judge. It seems that the work had progressed with the knowledge of someone or more of the justices, as to the manner in which it had been authorized, and with the knowledge of some others, acquired during its progress; that the plaintiff, even if the issue of fact, which, according to this opinion, should have been tried by a jury, if no consent had been given that it might be tried by the Court, had been properly decided in his favor.

That issues of fact, arising in actions by ordinary proceedings for the recovery of money or of specific real or personal property, shall be tried by a jury unless a trial is waived. (10 sec. Code Prac.) That it is evident from the language of the section *sura* that issues which are purely legal are to be tried, not as equitable issues, but as cases of ordinary proceedings.

That issues of fact, arising in actions by ordinary proceedings for the recovery of money or of specific real or personal property, shall be tried by a jury unless a trial is waived. (10 sec. Code Prac.)

That the record shows no waiver by defendant of the trial by jury in either of the modes prescribed by the Code, yet that it shows that the parties, by consent, transferred the *case*, and not merely the equitable *issue*, to the equity docket, and that the defendant thereby consented that the *whole case* should be thus tried, and waived the right for the present to report on the subject.

That the testimony showed that the value of the improvements made by the defendant exceeded a reasonable rent for the premises during the possession thereof by defendant, the Court below should have enforced the payment of the excess before rendering a final judgement for the plaintiff, even if the issue of fact, which, according to this opinion, should have been tried by a jury, if no consent had been given that it might be tried by the Court, had been properly decided in his favor.

That, inasmuch as the plaintiff failed to show that the defendant's possession was unlawful, and the Court says it was incumbent on him to show every fact essential to his right of recovery, he was not entitled to a judgment, and his petition should have been dismissed.

His Honor says, however, that he, plaintiff, will have a right to bring another action when defendant's possession shall become tortious.

AMOTION for a new trial of GREEN, the wealthy and mercenary banker of Chicago, who has been convicted of murdering his wife, has not yet been argued. The *Times* of the 4th says:

"The intense interest evinced by the community in this trial seems not to have subsided in the least, for on each morning, since the verdict of the jury, the court house has been filled with anxious spectators, eager to know what will be the final result. It is expected that, if the motion is not granted, the Court will immediately proceed to pronounce the sentence."

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